

# EXHIBIT B

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE

- - -

ECOLAB INC., and NALCO : Case No.  
COMPANY, LLC d/b/a NALCO : 1:22-cv-00050-  
WATER, an Ecolab Company : TRM-SKL  
and/or NALCO WATER, :

Plaintiffs :

vs. :

ANTHONY RIDLEY, and :  
CHEMTREAT, INC., :

Defendants. :

- - -

WEDNESDAY, APRIL 19, 2023

- - -

Video Recorded and Remote Zoom Deposition  
of LAURENCE LIEB, taken pursuant to Notice, at  
the law offices of Fisher & Phillips LLP, 100  
North 18th Street, Two Logan Square, 12th  
Floor, Philadelphia, Pennsylvania, commencing  
at approximately 10:08 a.m., on the above  
date, before Rose A. Tamburri, RPR, CM, CCR,  
CRR, USCRA Speed and Accuracy Champion and  
Notary Public.

- - -

VERITEXT LEGAL SOLUTIONS  
Mid-Atlantic Region  
1801 Market Street - Suite 1800  
Philadelphia, Pennsylvania 19103

Veritext Legal Solutions

1 Q. Are there any cases not listed in  
2 your CV where you've provided some form of  
3 sworn written testimony, such as an affidavit  
4 or declaration?

5 A. No.

6 Q. Has any judge ever determined that  
7 you were not qualified to testify as an  
8 expert?

9 A. No.

10 Q. Has any judge ever determined that  
11 one of your opinions was unreliable?

12 A. No.

13 Q. Has any judge ever precluded you from  
14 testifying, in whole or in part, as to any of  
15 your opinions?

16 A. No.

17 Q. What is your current position?

18 A. I am the CEO, President and Owner of  
19 Tyger Forensics, that's Tyger with a Y.

20 Q. And how did you choose the name Tyger  
21 Forensics?

22 A. My father was an English professor,  
23 biblical scholar, and so I am a William Blake  
24 fan.

25 Q. "Tyger Tyger, burning bright"?

1           A.     Yes.   For a cultured person, yes.

2           Q.     All right.

3                   How many people work for Tyger  
4   Forensics?

5           A.     I have one full-time employee and  
6   then one 1099 employee.

7           Q.     Does Tyger Forensics own any other  
8   businesses?

9           A.     No.

10          Q.     Do you personally own any other  
11   businesses?

12          A.     No.

13          Q.     Are you an employee of any other  
14   businesses?

15          A.     I am not.

16          Q.     Are you a consultant for any other  
17   businesses?

18          A.     I am not.

19          Q.     So what does Tyger Forensics do?

20          A.     Tyger Forensics provides computer  
21   forensic services, which involves forensic  
22   preservation and collection of electronic  
23   evidence, generation of forensic databases to  
24   enable analysis of electronic evidence,  
25   forensic analysis of evidence, and then

1 reporting declarations, testimony, if  
2 required.

3 Q. So you said one of the things that  
4 Tyger Forensics does is the forensic  
5 preservation and collection of electronic  
6 evidence; is that correct?

7 A. That is.

8 Q. Can you give me an overview of what  
9 that process involves?

10 MR. WINSMAN: Objection to form.

11 THE WITNESS: Certainly. We use  
12 industry standard tools to create forensic  
13 image preservations of Smartphones, laptop,  
14 desktop computers, server data, cloud-based  
15 evidence, social media evidence.

16 BY MS. LUND:

17 Q. You referenced industry standard  
18 tools. What makes them industry standard?

19 A. In my opinion, industry standard  
20 tools are tools that are used in -- widely in  
21 criminal cases and have -- evidence produced  
22 from those tools have been accepted in  
23 thousands of criminal cases.

24 Q. Other than the tools, are there other  
25 industry standards that, in your view, apply

1           A.     Well, over -- over the years, I've  
2     taken many forensic training courses. I  
3     typically budget \$5,000 a year for myself and  
4     my employees for training.

5                     So I usually take one to two or  
6     more training classes each year, and those  
7     encompass best practices as well.

8           Q.     Is there any particular source or  
9     reference that you look to in particular for  
10    guiding your understanding of industry best  
11    practices?

12          A.     I don't -- can you define "source"?  
13    I don't know what you mean by source.

14          Q.     For example, lawyers, we would look  
15    to case books; that would be some of our  
16    sources. Or we might look to --

17          A.     Oh.

18          Q.     -- you know, the American Law Journal  
19    or something like that.

20                     Is there something similar that  
21    you would look to as sort of a -- a guide or a  
22    helpful reference for the industry that you  
23    would look to if you wanted to understand best  
24    practices?

25          A.     In terms of if -- I don't really

1 Q. Okay.

2 So if we can look at the DLP  
3 report.

4 A. Okay.

5 Q. And I believe that's already there.  
6 I'm just trying to find the exhibit it was  
7 previously marked as so I can read it into the  
8 record.

9 A. That's going to be a mass -- is it a  
10 PDF or do you have it as an Excel file?

11 MR. HOMESLEY: I can pull it up as  
12 a CSV.

13 THE WITNESS: Oh, okay.

14 MR. HOMESLEY: So it was  
15 previously entered as Exhibit 27.

16 THE WITNESS: I don't know if  
17 there is Excel on this machine because it  
18 really -- that's -- that's what -- Excel is  
19 what opens up CSV files for them to be  
20 readable. I'll wait to -- maybe -- maybe  
21 there's Excel on -- I'll see if there's Excel  
22 on this machine. Maybe there is. I doubt it.  
23 No. I see an Excel -- oh, there is Excel on  
24 here. Okay.

25 MR. HOMESLEY: All right. It

1       should be up there as Exhibit 27.

2                   THE WITNESS:   Okay.

3                   MR. HOMESLEY:   You'll have to  
4       download it.

5                   THE WITNESS:   Okay.   There we go.

6                   Yeah, I'm going to have to --  
7       there's -- I'm going to have to download this  
8       because there's no way to --

9                   MS. LUND:    Yes.

10                  THE WITNESS:   There's no way to --  
11       it has to be done with Excel.

12                  (Brief pause.)

13                  THE WITNESS:   It's a large file.  
14       Okay.   Hopefully this version of Excel is  
15       registered.

16                  Okay.

17                  MS. LUND:    Okay.

18       BY MS. LUND:

19           Q.     So if you could go ahead --

20           A.     Create and edit files.   Okay.   I'll  
21       use -- do you want me -- sorry.

22           Q.     No, that's okay.

23                       If you could go ahead and share  
24       your screen so that we can all be seeing what  
25       you're looking at.



1           A.     Well, I -- I am sharing.  You're not  
2     -- you're not seeing this?

3                   MR. HOMESLEY:  Yep.

4                   THE WITNESS:  It's just -- the ver  
5     -- this doesn't have Excel on it.

6                   MS. LUND:  Okay.  Yep.  Great.

7  BY MS. LUND:

8           Q.     And then if you could go to the  
9     Operation Type column.

10          A.     Okay.  Is it -- is it okay if I do  
11     what I norm -- what I described in my  
12     analysis?

13          Q.     Yes, go ahead.

14          A.     Because it's going to make this --

15          Q.     Yes.

16          A.     -- infinitely easier for everyone  
17     involved.

18                   So -- so I go up to view -- if it  
19     allows -- it's not letting me do it because  
20     I -- crap.

21                   So normally I go to freeze pane  
22     and freeze top row, because there's not a --  
23     this is not a -- a registered version of --  
24     let me see if I can do it.  It says "Use free  
25     at office.com.  Let's see if it allows me to

1 do it.

2 MS. LUND: You know what, let's go  
3 ahead and go off the record.

4 THE VIDEOGRAPHER: The time is now  
5 2:09. Going off the video record.

6 (Brief pause.)

7 THE VIDEOGRAPHER: The time is now  
8 2:13. Back on the video record.

9 BY MS. LUND:

10 Q. All right.

11 Mr. Lieb, before we took a break  
12 to work out our technical issues, you were  
13 telling us the -- what you did with the  
14 Digital Guardian report to make it workable  
15 and you were going to walk us through that  
16 report which is now up on the screen.

17 Can you go ahead, please.

18 A. Absolutely.

19 So this is -- I'm replicating what  
20 my forensic analysis steps were.

21 So I -- first I highlighted the --  
22 the top row, which is column headers. I go to  
23 view, freeze pane, freeze top row. So that  
24 allows me to then scroll with the top -- the  
25 top row just remaining.

1 add to that in terms of your forensic  
2 analysis?

3 A. No.

4 Q. Okay.

5 And then you say you came to the  
6 forensic observations and opinions set forth  
7 in this report; correct?

8 A. Correct.

9 Q. And your opinion, as set forth in  
10 paragraph 14, is that the Digital Guardian  
11 report captured and recorded an extensive  
12 amount of files being exfiltrated by Ridley  
13 using his former EcoLab laptop, and that's  
14 your opinion?

15 A. It is.

16 Q. Okay.

17 And what do you mean when you say  
18 "exfiltrated"?

19 A. It's a -- a forensic term meaning  
20 taken up -- copied to an external USB drive  
21 that a former employee will take with them to  
22 use in their own company that they establish,  
23 or a competitor, sent to -- documents that are  
24 sent -- any document activity copying, moving  
25 to -- from a company-owned device or account

1           A.     Well, I believe "misappropriated" may  
2     be a legal term of art, so I -- I believe --  
3     it's my opinion that he took those files to  
4     use them to compete against his former  
5     employer.

6           Q.     Okay.

7                     Let's look at your opinion in your  
8     report at paragraph 14.

9           A.     Okay.

10          Q.     And you'll see the second sentence of  
11     paragraph 14, you say, "From a forensic  
12     analysis standpoint, the Digital Guardian  
13     Report provides more than sufficient amount of  
14     information for me to arrive at my conclusion  
15     that Ridley misappropriated thousands of  
16     Ecolab files."

17                     Is that still your opinion?

18          A.     It is.

19          Q.     Okay.

20                     Even though misappropriated, you  
21     just testified, is actually a legal term?

22          A.     It could be a legal term. In my --  
23     in plain English, it's theft.

24          Q.     Okay.

25                     And so it's your opinion, based on

1 thousands of Nalco-related files.

2 Q. So if I can have you answer my  
3 question, which is what objective standard do  
4 you use to determine whether the transfer of  
5 files from one company-issued device to  
6 another company-issued device is exfiltration  
7 or theft and when it's not?

8 A. I don't know what you mean by  
9 "objective standard."

10 Q. Okay.

11 Well, as we discussed this  
12 morning, you have testified that everything  
13 you do is, quote, 100 percent based upon  
14 science and can 100 percent be replicated by a  
15 qualified peer.

16 A. Yes.

17 Q. And I'm asking you what objective  
18 standard can a qualified peer apply to reach  
19 the same conclusion you did that this was  
20 theft as opposed to ordinary course of  
21 business?

22 A. Well, it would be the timing that the  
23 activity occurred, the business circumstances  
24 under which it occurred, a knowledge of an  
25 employee having already accepted or looking

1 for another work -- another job, the volume  
2 and -- the volume and amount and frequency by  
3 which the data was stolen, and then  
4 subsequent -- you know, Jim -- Jim Vaughn's  
5 report confirmed my findings.

6 So I -- I'm vindicated.

7 Q. Okay.

8 What -- what, in particular, do  
9 you believe that Mr. Vaughn's report confirmed  
10 with regard to your findings?

11 A. The CrowdStrike report showed Mr.  
12 Ridley interacting with some of the  
13 exfiltrated files using his ChemTreat laptop.

14 Q. Were --

15 A. So he took them to use while working  
16 at ChemTreat.

17 Q. So that's a conclusion you've drawn.

18 A. No, that's what the CrowdStrike  
19 report shows.

20 Q. The CrowdStrike report shows the  
21 LaCie drive being plugged into ChemTreat's  
22 laptop?

23 A. It shows Ridley interacting with  
24 Nalco Water files while using his now wiped  
25 ChemTreat laptop.

1 That is my expert opinion.

2 Q. Right.

3 And my question to you is, you are  
4 offering an opinion about Mr. Ridley's intent  
5 that he did something specifically for a  
6 purpose to utilize them while employed at  
7 ChemTreat.

8 That is your opinion; correct?

9 A. Which he -- which he -- which he did.

10 Q. I understand that's your opinion, Mr.  
11 Lieb.

12 I'm asking you, what is --

13 A. No, that's not opinion. That's what  
14 shows in the CrowdStrike report and what I've  
15 been informed that he admitted to on -- doing  
16 on less four -- less than four no -- no less  
17 than four occasions in his deposition  
18 yesterday.

19 Q. Mr. Lieb, it's important that we not  
20 talk over each other, so please do not  
21 interrupt me when I'm asking you a question  
22 and then you can answer my question.

23 Okay?

24 A. Okay.

25 Q. Great. All right.